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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

KEITH SMITH, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 03 C 9110
	)	
NIKE RETAIL SERVICES, INC., etc.,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

As called for by this Court's lengthy March 22, 1006 memorandum opinion and order (the "Opinion"), counsel for plaintiffs have tendered a Supplemental Statement, Ex. A of which is their Third Amended Complaint ("TAC") conforming to the rulings in the Opinion.<sup>1</sup> This Court (1) grants leave to plaintiffs to file the TAC instanter and (2) confirms the certification (heretofore granted conditionally) under Rule 23(b)(2) as to the overall class and the respective subclasses identified in the Opinion.



Milton I. Shadur  
Senior United States District Judge

Date: May 19, 2006

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<sup>1</sup> On May 10 our Court of Appeals entered a one-page order denying the petition by defendant Nike Retail Services, Inc. for leave to appeal, pursuant to Fed. R. Civ. P. ("Rule") 23(f), from the Opinion's order granting class certification.